

**TOPGUARD®**  
**Fungicide**  
Section 18 Exemption  
For Use on Cotton to Control Cotton Root Rot

**ACTIVE INGREDIENT:**

\*Flutriafol 11.8%

**INERT INGREDIENTS:** 88.2%

**TOTAL:** 100.0%

\*Contains 1.04 pounds per gallon of the active ingredient flutriafol.

**KEEP OUT OF REACH OF CHILDREN**  
**CAUTION**

**Si usted no entiende la etiqueta, busque a alguien para que se la explique a usted en detalle.**

**(If you do not understand the label, find someone to explain it to you in detail.)**

<b>IN CASE OF A MEDICAL EMERGENCY INVOLVING THIS PRODUCT, CALL TOLL FREE, DAY OR NIGHT, 1-866-303-6950</b>
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**FOR DISTRIBUTION AND USE ONLY IN THE STATE OF TEXAS UNDER SECTION 18 EXEMPTION**

This labeling must be in the possession of the user at the time of pesticide application. It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Read entire Directions for Use and Warranty Disclaimer before using this product. Follow all applicable directions, restrictions, Worker Protection Standard requirements, and precautions on the product label for **TOPGUARD Fungicide**.

Any adverse effects resulting from the use of **TOPGUARD Fungicide** under this exemption must be immediately reported to the Texas State Department of Agriculture.

**EXACT AUTHORIZED USE:** This is an unregistered use. The U.S. Environmental Protection Agency has authorized the use of **TOPGUARD Fungicide** under the provisions of Section 18 of the Federal Insecticide, Fungicide and Rodenticide act, as amended, on cotton in Texas to control cotton root rot.

**EFFECTIVE PERIOD:** This labeling becomes effective February 1, 2014 and expires on June 30, 2014.

**EPA SECTION 18 FILE SYMBOL:** 14-TX-01

**Manufactured For:**  
Cheminova Inc.  
One Park Drive, Suite 150  
Research Triangle Park, NC 27709

## PRECAUTIONARY STATEMENTS HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**CAUTION.** Harmful if absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Prolonged or frequent skin contact may cause allergic reactions in some individuals.

### FIRST AID

**If on skin:**

- Take off contaminated clothing.
- Rinse skin immediately with plenty of water for 15-20 minutes.
- Call a poison control center or doctor for treatment advice.

**If swallowed:**

- Call a poison control center or doctor immediately for treatment advice.
- Have person sip a glass of water if able to swallow.
- Do not induce vomiting unless told to by a poison control center or doctor.
- Do not give anything to an unconscious person.

**If in eyes:**

- Hold eye open and rinse slowly and gently with water for 15-20 minutes.
- Remove contact lenses, if present, after the first 5 minutes, then continue rinsing.
- Call a poison control center or doctor for treatment advice.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-866-303-6950 for emergency medical treatment information.

**Note to Physician:** No specific antidote. Treat symptomatically.

## HAZARDS TO HUMANS AND DOMESTIC ANIMALS

**Caution.** Harmful if absorbed through skin. Harmful if swallowed. Causes moderate eye irritation. Avoid contact with skin, eyes or clothing. Prolonged or frequently skin contact may cause allergic reactions in some individuals.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

**Applicators and other handlers must wear:** long-sleeved shirt and long pants, chemical-resistant gloves, and shoes plus socks.

Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

### ENGINEERING CONTROLS STATEMENT

When handlers use closed systems, enclosed cabs, or aircraft in a manner that meets the requirements listed in the Worker Protection Standard (WPS) for agricultural pesticides [40 CFR 170.240(d)(4-6)], the handler PPE requirements may be reduced or modified as specified in the WPS.

### **USER SAFETY RECOMMENDATIONS**

Users should: Wash hands before eating, drinking, chewing gum, using tobacco or using the toilet.

Remove clothing/PPE immediately if pesticide gets inside. Then wash thoroughly and put on clean clothing. Remove PPE immediately after handling this product. Wash the outside of gloves before removing. As soon as possible, wash thoroughly and change into clean clothing.

### **ENVIRONMENTAL HAZARDS**

Do not apply directly to water, or to areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwater or rinsate.

Ground Water Advisory: Flutriafol has properties and characteristics associated with chemicals detected in ground water. This chemical may leach into ground water if used in areas where soils are permeable, particularly where the water table is shallow.

Surface Water Advisory: This product may impact surface water quality due to runoff of rain water. This is especially true for poorly draining soils and soils with shallow ground water. This product is classified as having a high potential for reaching surface water via runoff for several months or more after application.

### **DIRECTIONS FOR USE**

It is a violation of Federal Law to use this product in any manner inconsistent with its labeling. Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation.

### **AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and with the Workers Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about Personal Protective Equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil or water, is: coveralls, chemical resistant gloves, and shoes plus socks.

## STORAGE AND DISPOSAL

Do not contaminate water, food or feed by storage or disposal.

**Pesticide Storage:** Store unused product in original container in a cool, dry area.

**Pesticide Disposal:** Pesticide waste may be hazardous. Improper disposal of excess pesticide, spray mixture or rinsate is a violation of Federal law. If these wastes cannot be disposed of by use according to label instructions, contact your State Pesticide or Environmental Control Agency, or the Hazardous Waste Representative at the nearest EPA Regional Office for guidance.

**CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling if available or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container  $\frac{1}{4}$  full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure 2 more times.

## PRODUCT DIRECTIONS

**READ ENTIRE LABEL. USE STRICTLY IN ACCORDANCE WITH PRECAUTIONARY STATEMENTS AND DIRECTIONS, AND WITH APPLICABLE STATE AND FEDERAL REGULATIONS.**

**CHEMIGATION:** Do not apply this product through any type of irrigation system.

**CROP ROTATION:** Crops treated with **TOPGUARD Fungicide** may be rotated to cotton, soybean, field corn, sugarbeets, pome fruit, stone fruit, grapes or peanuts at any time or may be rotated to sweet corn 180 days after the last application. Rotation to any other crop is prohibited for 365 days after application.

**Compatibility Jar Test:** Using a quart jar, add the proportionate amounts of the products to approximately one quarter of water with agitation. Add wettable powders and water dispersible granular products first, next liquid flowables, then emulsifiable concentrates, and last liquid soluble products. After thorough mixing, allow this mixture to stand for 5 minutes. If the combination remains mixed or can be readily remixed, it is physically compatible. Once compatibility has been proven, use the same procedure for adding products to the spray tank. Use tank-mix combinations on a small number of plants before treating larger areas.

**Spray Equipment/Volume:** **TOPGUARD Fungicide** should be applied at 6 - 10 gallons per acre at planting.

**High Disease Pressure:** Use the higher rate of **TOPGUARD Fungicide** when crop grown under irrigation or when the field has a history of high root rot disease pressure.

## Use Directions for Control of Cotton Root Rot

### General Information:

**TOPGUARD Fungicide** works by forming a protective barrier around the cotton root at the point of disease infection. Precipitation in the form of rainfall or irrigation is required to move the product into the infection zone. The amount of water required will vary with soil type, soil moisture, and rainfall or irrigation intensity.

### Applications Methods:

**T-Band Application:** Apply **TOPGUARD Fungicide** in a concentrated 3-4 inch wide band at planting perpendicular to row direction after furrow opening and seed placement but prior to furrow closure with press wheel.

**Modified In-Furrow Application:** Apply using a splitter/Y shaped application mechanism that directs the product on the sides of seed furrow and not in direct contact with the seed.

### Use Directions for Cotton (Soil Application)

Diseases	Product Rate (fl oz/ac)
Cotton Root Rot ( <i>Phymatotrichopsis omnivora</i> )	16 - 32 (see table below for rate chart depending on row width)

### Application Directions:

#### Overhead or Sprinkler Irrigation Fields:

- The T-Band application method is preferred under these cropping practices.
- Modified In-Furrow can be used. Effort should be made to avoid applying product in direct contact with seed.

#### Dryland Fields:

- The Modified In-Furrow application technique may provide more consistent control under low rainfall conditions.
- Application using a T-Band method requires rainfall to move the product into the disease infection zone below the soil surface.

#### Furrow and Drip Irrigated Fields:

- Apply in T-Band or Modified In-Furrow.
- When using the Modified In-Furrow application method sufficient irrigation must be applied to thoroughly wet the **TOPGUARD Fungicide** treated zone after cotton has emerged.
- For T-Band applications, the top of the bed must be thoroughly wetted after the cotton has emerged.

### NOTICE for All Applications Methods and Field Conditions:

Heavy rainfall or irrigation within 3 days after planting may delay emergence.

**Limitations:**

- Do not make more than one application per season
- Do not apply more than 32 fl oz per acre per season
- Do not apply with liquid fertilizer
- Restricted Entry Interval (REI): the REI is 12 hours

**Rate Chart: Product Rate Depending on Row Width**

	16 fl oz/ac Rate	32 fl oz/ac Rate (Maximum allowed)
Row Spacing (inches)	fl oz of TOPGUARD/1000 ft of row	
30	0.92	1.84
32	0.98	1.96
36	1.10	2.20
38	1.16	2.32
40	1.22	2.44

**For product information, call toll free, 1-800-548-6113.**

**WARRANTY DISCLAIMER**

Cheminova warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the label when used in strict accordance with the directions, subject to the inherent risks set forth below. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, CHEMINOVA MAKES NO OTHER EXPRESS OR IMPLIED WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR ANY OTHER EXPRESS OR IMPLIED WARRANTY.

**INHERENT RISKS OF USE**

It is impossible to eliminate all risks associated with use of this product. Crop injury, lack of performance, or other unintended consequences may result because of such factors as use of the product contrary to label instructions (including conditions noted on the label, such as unfavorable temperatures, soil conditions, etc.), abnormal conditions (such as excessive rainfall, drought, tornadoes, hurricanes), presence of other materials, the manner of application, or other factors, all of which are beyond the control of Cheminova or the Seller. All such risks shall be assumed by Buyer and User. Buyer and User agree to hold Cheminova and the Seller harmless for any claims related to such factors.

**LIMITATION OF REMEDIES**

To the extent consistent with applicable law, the exclusive remedy for losses or damages resulting from this product (including claims based on contract, negligence, strict liability, or other legal theories), shall be limited to one of the following, at Cheminova's election,:

- (1) Refund of purchase price paid by buyer or user for product bought, or
- (2) Replacement of amount of product used.

To the extent consistent with applicable law, Cheminova shall not be liable for consequential, incidental, or special damages or losses.

The terms of the Warranty Disclaimer above and this Limitation of Remedies cannot be varied by any written or verbal statements or agreements. No employee or sales agent of Cheminova or the Seller is authorized to vary or exceed the terms of the Warranty Disclaimer or this Limitation of Remedies in any manner.

**TOPGUARD** is a registered trademark of Cheminova.